

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RONALD COOPER,

Plaintiff,

v.

D.K. EDLUND, *et al.*,

Defendants.

Case No. 2:05-CV-24

Hon. Richard Alan Enslen

ORDER

Plaintiff Ronald Cooper has filed a Motion for Reconsideration of the Court's Opinion and Order of July 25, 2006, which, among other things, determined that he was a three-strikes filer subject to the provisions of 28 U.S.C. § 1915(g). He has also filed a document titled "Motion for Objection to the Magistrate Judge[s] Report and Recommendation to the Last Response for the Judge[s] Order." Both documents seek reconsideration and issuance of an order approving this action as a pauper action under the section 1915(g) exception for actions seeking relief from an "imminent danger of serious physical injury" to the prisoner. Oral argument is unnecessary.

Pursuant to Western District of Michigan Local Civil Rule 7.4(a), reconsideration is appropriate only when the movant "demonstrate[s] a palpable defect by which the Court and the parties have been misled . . . [and] that a different disposition must result from the correction thereof." Plaintiff's Motion fails to meet this standard as well as the standards for relief under Federal Rules of Civil Procedure 59 and 60. Plaintiff has made vague allegations of insufficient medical care, physical abuse and retaliation, which are not sufficiently supported and appear delusional. *See also Westlake v. Lucas*, 537 F.2d 857, 860 n.5 (6th Cir. 1976) (citing cases for the

proposition that disagreements about the kind of medical care rendered are not actionable under 42 U.S.C. § 1983). Furthermore, some of the supposed medical records filed in support of Plaintiff's claims are highly irregular on their face. Defendants have filed evidence showing that those supporting documents are forgeries (which the Court suspected from its initial reading of the documents). (*See* Am. Aff. of Lisa Rosseau ¶¶ 3-7.)

THEREFORE, IT IS HEREBY ORDERED that Plaintiff Ronald Cooper's Motion for Reconsideration and Motion for Objection (Dkt. Nos. 107 & 108) are **DENIED**.

IT IS FURTHER ORDERED that Defendants' Motion to Strike Exhibits (Dkt. No. 104) is **DENIED AS MOOT** in that the documents at issue relate to a judicial decision previously made in Defendants' favor on July 25, 2006.¹

DATED in Kalamazoo, MI:
August 11, 2006

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE

¹Defendants also requested sanctions due to the filing of the forged documents. This request is denied because it appears that Plaintiff is both severely mentally ill and a pauper such that the issuance of a monetary sanction against him would not be appropriate.